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July 18, 1997

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, D.C. 20554

Re: MM Docket No. 87-268

Dear Mr. Caton

Transmitted herewith, on behalf of Channel 3 of Corpus Christi, Inc., licensee of Television Broadcast Station KIII, Corpus Christi, TX, are an original and four copies of its Comments on Petition For Reconsideration (Trinity Broadcasting Network) of the Sixth Report and Order in the above-referenced matter.

Very truly yours

Stanley S. Neustadt
Stanley S. Neustadt

Enclosures

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BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Federal Communications Commission

In the Matter of)
)
Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

COMMENTS ON PETITION FOR RECONSIDERATION

Channel 3 of Corpus Christi, Inc. (KIII), licensee of Television Station KIII, Corpus Christi, TX, by its attorneys, pursuant to Section 1.429 of the Commission's Rules, files these comments with respect to the Petition for Reconsideration filed in the above-captioned matter by Trinity Christian Center of Santa Ana, Inc., d/b/a Trinity Broadcasting Network (TBN). To the extent that the TBN Petition urges the Commission to substitute DTV Channel 35 for DTV Channel 47 for use by KIII, KIII lends its conditional support. In support of its position, KIII states:

1. In addition to supporting the contemporaneously-filed Petition for Reconsideration of Sinclair Broadcast Group, Inc., TBN requests assignment of different DTV channels for many full power stations, including KIII, "in order to permit the continued operation" of many of its translator facilities. One of its proposals would be to allot Channel 35 for use by KIII rather than Channel 47. If all other things were to remain essentially equal, KIII would actually prefer Channel 35, and supports that part of the TBN proposal.

2. Attached hereto is the Engineering Statement of Bernard R. Segal which discusses the possible interference effects which would result from the change by KIII from Channel 47 to

Channel 35. They surely would be minimal. All other things being equal, for the reasons set forth in the attached Statement, the allotment proposed by TBN would be preferable. However, that is only one of very many changes urged by TBN. It is difficult to anticipate the overall interference picture if other of the changes were adopted, but not all. Or, indeed, if all of them were adopted. KIII supports the one change urged by TBN, but only if it is not a part of widespread changes which, in aggregate, would result in poorer service.

Respectfully submitted

CHANNEL 3 OF CORPUS CHRISTI, INC.

By: Stanley S. Neustadt
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July 18, 1997

Its Attorneys

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

**ENGINEERING STATEMENT
PREPARED ON BEHALF OF
CHANNEL 3 OF CORPUS CHRISTI, INC.**

Channel 3 of Corpus Christi, Inc. (Channel 3) is the licensee of television station KIII in Corpus Christi, Texas. The FCC has allotted DTV channel 47 for use for KIII with effective radiated power of 1000 kilowatts and antenna radiation center height above average terrain of 262 meters in the *Sixth Report and Order* in MM Docket No. 87-268 in the matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service.

A Petition for Reconsideration of the FCC's *Sixth Report and Order* by Trinity Broadcasting Network (TBN) suggests that channel 35 could be used as an alternate to channel 47 for DTV use by KIII.¹ The stated underlying purpose was to avoid having to find an alternate frequency for use for secondary television translator station K46DL which is authorized for operation at Kingsville, Texas, and which would be displaced by KIII DTV operation on

¹ The Petition included many other suggested changes for DTV allotments that could impact on TBN translators. The instant Statement deals only with the suggestion for the change in the channel 47 DTV allotment for KIII to channel 35.

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channel 47. The instant Engineering Statement is in support of a Reply to the TBN Petition.

The Engineering Statement accompanying the TBN Petition provides no supporting study to demonstrate the feasibility of channel 35 for DTV use by KIII. A reference is made to a list of alternate channels for consideration that had been prepared from a MSTV/NAB computer study. However, that list is believed to reflect only those channels which meet the FCC's minimum cochannel and first adjacent channel spacing thresholds for consideration for DTV allotments.

The undersigned has had computer studies run by Telecommunications Analysis Services (TAS), a branch of the Institute for Telecommunications Sciences which, in turn, is part of the U.S. Department of Commerce, to check the feasibility of the suggested channel 35 DTV allotment for KIII. TAS employs the Longley-Rice prediction methodology used by the FCC and the TAS studies use the same underlying principles as the FCC for ascertaining coverage and interference.

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The TAS study for a simulated KIII DTV facility on channel 35 determined that an effective radiated power of 1000 kilowatts was needed for replication. The study revealed that for the assumed KIII channel 35 DTV operation, interference in an area of 121 square kilometers would be received from NTSC station KRRT, Kerrville, Texas, channel 35. However, the interference would not impact on any population. Hence, from the standpoint of population replication, KIII would fare as well on channel 35 as on channel 47. The potential advantage of channel 35 for Channel 3, however, is that channel 35 would be within the core spectrum no matter what that core turned out to be. From the TBN perspective, the advantage of a channel 35 DTV allotment for KIII would be that station K46DL would not have to be displaced.

The downside of the use of channel 35 by KIII is the interference that would be caused to other stations. NTSC station KRRT, previously identified, would receive interference from DTV KIII within a 345-square kilometer area

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representing 1.5 percent of the 22,701-square kilometer area² currently served by KRRT.

A second station that would receive interference from a DTV channel 35 KIII operation is the DTV operation for KPRC-TV, Houston, channel 35. Interference would be caused within an area of 28 square kilometers that lies within the present NTSC Grade B contour. The 28-square kilometer area represents 0.06 percent of the 44,930-square kilometer area³ currently served by KPRC-TV.

An additional study conducted by TAS demonstrates that the allotted DTV channel 47 power/height combination for KIII would cause no interference within any station's existing Grade B contour. The difference in results for

² The 22,701-square kilometer area is given in Appendix B of the *Sixth Report and Order*.

³ The 44,930-square kilometer area is given in Appendix B of the *Sixth Report and Order*.

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channel 35 versus channel 47 is so small that for all practical purposes, the two channels may be considered interchangeable.⁴

Thus, since there is no significant downside effect for KIII DTV operation on channel 35, and TBN's station K46DL would not have to be displaced, Channel 3, on balance, does not oppose the TBN suggestion for the substitution of channel 35 for channel 47 for KIII DTV use.



Bernard R. Segal, P.E.

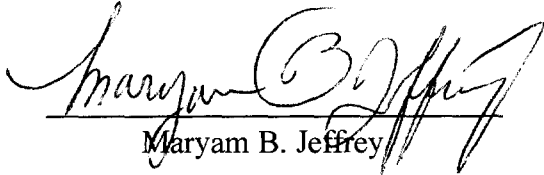
July 17, 1997

⁴ Using strict "go-no go" assignment principles, channel 47 would be favored over channel 35, since, on channel 47, no interference is predicted within any station's Grade B contour.

CERTIFICATE OF SERVICE

I, Maryam B. Jeffrey, do hereby certify that a true and correct copies of the foregoing COMMENTS ON PETITION FOR RECONSIDERATION were mailed, first-class postage prepaid, this 18th day of July 1997 to the following:

Colby M. May, Esq.
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Maryam B. Jeffrey